

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
THIRD DIVISION

Paul's Industrial Garage, LLC, and Gibson
Sanitation, LLC,

Plaintiffs,

v.

City of Red Wing, a municipal corporation
in the State of Minnesota, Dennis Tebbe, in
his official capacity as Director of Public
Works, and Richard Moskwa, in his
official capacity as Deputy Director of
Public Works for the City of Red Wing,
Minnesota,

Defendants.

Case No. 06-CV 4770 RHK/JSM

**STIPULATION AND ORDER FOR
DISMISSAL OF ALL REMAINING
CLAIMS**

The parties, through their counsel, hereby stipulate to the dismissal without prejudice pursuant to Fed. R. Civ. P. 41(a) (1) of all claims and prayers for relief that have not already been dismissed, including the Plaintiffs' claims for nominal damages and for attorneys' fees, and that the parties shall bear their own costs. The parties also stipulate to the withdrawal of all pending motions.

Dated: June 13, 2007

GREENE ESPEL, P.L.L.P.

s/John M. Baker

John M. Baker, Reg. No. 174403
Pamela L. VanderWiel, Reg. No. 305960
John W. Ursu, Reg. No. 032257X
200 S. Sixth Street, Suite 1200
Minneapolis, MN 55402
(612) 373-0830

Attorneys for Defendants

Dated: June 11, 2007

INSTITUTE FOR JUSTICE

s/Lee U. McGrath

Lee U. McGrath, Reg. No. 0341502
Nicholas C. Dranius, Reg. No. 0174537
527 Marquette Ave., Suite 1600
Minneapolis, MN 55402-1330
(612) 435-3451

Attorneys for Plaintiffs

ORDER

IT IS HEREBY ORDERED that all claims and prayers for relief that have not already been dismissed, including the Plaintiffs' claims for nominal damages and for attorneys' fees, are hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(a) (1).

IT IS FURTHER ORDERED that the parties shall bear their own costs.

Date: June 13, 2007

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge